

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOAN SCHWAN, et. al;

Plaintiffs,

vs.

CNH AMERICA, LLC individually and as  
successor-in-interest to New Holland North  
America, Inc., et. al;

Defendants.

**4:04CV3384**

**MEMORANDUM AND ORDER**

A conference call was held with counsel for all parties on November 25, 2013 to discuss preparations for resolving this case. With the parties' consent,

IT IS ORDERED:

1) The undersigned magistrate judge will provide judicial review of any proposed allocation of settlement funds to the individual plaintiffs, and will serve as a neutral in resolving any disputes over the allocation of those assets among the individual plaintiffs.

2) With defense counsel's agreement, the undersigned magistrate judge will work ex parte with the plaintiffs during the settlement allocation review/approval process and any negotiations or mediation on settlement allocation issues. That is, defense counsel has agreed that I need not include them in the discussions and communications on issues related to the allocation of settlement funds.

3) On or before December 18, 2013, plaintiffs' counsel shall submit a proposed settlement distribution plan to me for my initial review and comment.

November 27, 2013.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge